

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Telecommunications services Apparatus and methods for Mobile terminal Faking.

Claim Objections

1. Claim10 is objected to because of the following informalities:

Claim 10 reads:

10. (currently amended) A method according to claim 7, wherein the IMSI modifying step is operable to replace the visitor location register address in the **SRIJSM** response, the step of temporarily storing information is operable additionally to store the original visitor location register address, and the destination address is replaced by the stored original visitor location register address before being passed on to the respective destination.

Claim 10 should read:

10. (currently amended) A method according to claim 7, wherein the IMSI modifying step is operable to replace the visitor location register address in the **SRI_SM** response, the step of temporarily storing information is operable additionally to store the original visitor location register address, and the destination address is replaced by the stored original visitor location register address before being passed on to the respective destination.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

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35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 11 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claim 11, claims the non-statutory subject matter of a *computer program product*. Data structures not claimed as embodied in a computer readable medium are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer. See, e.g., Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1754 (claim to a data structure per se held nonstatutory). Therefore, since the claimed program *product* is not tangibly embodied in a physical medium and encoded on a computer readable medium then the Applicants has not complied with 35 U.S.C 101.

Claim 12, recites a storage medium, the Examiner respectfully notes that the storage medium is a non transitory medium.

Allowable Subject Matter

1. Claims 1-10 are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter:
Claims 1-10 are indicated as allowable since the closest prior art of record teaches comparing based on content filters and does not specifically teach receiving a MAP Send Routing Information for Short Message (SRI_SM message) originating from another network and forwarding the SRI_SM message to a home location register, receiving a response from the home location register to the SRI_SM message, temporarily storing information relating to the

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SRI_SM response and passing said response on to a network address identified as the originating address, receiving a MAP Mobile Terminated Forward Short Message (MT_Fwd_SM message) from said another network and correlating the MT_Fwd_SM message with a previously-sent SRI_SM response using stored information, detecting and selectively rejecting MT_Fwd_SM messages for which there is at least insufficient correlation between the MT_Fwd_SM message and the previously-sent SRI_SM response; and passing other MT_Fwd_SM messages on to their respective destinations.

3. Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES SHEDRICK whose telephone number is (571)272-8621. The examiner can normally be reached on Monday thru Friday 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Charles Shedrick/
Examiner, Art Unit 2617